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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

ANTHONY CHARLES MURPHY,

Plaintiff,

v.

STG. D. ROBERTS; LT. TRAVIS GIVENS,

Defendants.

**DECLARATION OF
TYLER ALLRED**

Case No. 2:19-cv-00852-JNP

Judge Jill N. Parrish

I, Tyler Allred, hereby submit this *Declaration* as part of the court-ordered *Martinez Report* in this case:

1. I am a Deputy Duchesne County Attorney assigned to handle, among other matters, civil litigation involving Duchesne County, Utah.
2. In that capacity, I work with the Duchesne County Jail (“Jail”) on lawsuits involving inmates and, therefore, I am familiar with the day-to-day operations of the Jail as well as the Jail’s policies and records.
3. I am likewise familiar with the Jail’s record keeping policies and procedures.
4. I gathered the records that are included in the *Appendix* that is being submitted in

conjunction with the court-ordered *Martinez Report* that Defendants have submitted in response to the allegations made by former Jail inmate Anthony Charles Murphy (“Murphy”).

5. Specifically, I gathered true and correct copies of the following records for inclusion in the *Appendix* to the *Martinez Report* all of which are kept and maintained in the regular course of the Jail’s business operations:

Appendix Exhibit A: A *Summary Convictions* received from the Utah Department of Corrections upon Murphy’s transfer to the Jail.

Appendix Exhibit B: The *Travel Order* of March 15, 2019 transferring Murphy to the Jail to serve his sentence.

Appendix Exhibit C: The Jail’s *Minor Inmate Disciplinary Actions Policy*.

Appendix Exhibit D: The July 20, 2019 *Roberts Incident Report* submitted by Corporal Daniel Roberts which resulted in Murphy receiving a minor disciplinary write-up.

Appendix Exhibit E: The *Arias Incident Report* submitted by Deputy Megan Arias which documents the fight that took place on July 25, 2019 between Murphy and inmate Melvin Whipple (“Whipple”).

Appendix Exhibit F: The *Bastian Incident Report* submitted by Corporal Ryan Bastian which also documents the fight that took place on July 25, 2019 between inmates Murphy and Whipple.

Appendix Exhibit G: The *Robinson Incident Report* submitted by Deputy Hunter Robinson with respect to the fight that took place on July 25, 2019 between inmates Murphy and Whipple.

Appendix Exhibit H: The *Arias Supplemental Incident Report* Deputy Megan Arias documenting the fight that took place on July 25, 2019 between Murphy and Whipple.

Appendix Exhibit I: The *Arias Investigative Report* by Deputy Megan Arias of the July 25, 2019 fight between Murphy and Whipple which led to Murphy being charged with a violation of Jail Policy B02 for fighting.

Appendix Exhibit J: *Jail Policy B02* under which both Murphy and Whipple were charged with and found guilty of the offense of fighting.

Appendix Exhibit K: The *Statement of Charges* filed against Murphy by Deputy Arias related to his fight with Whipple.

Appendix Exhibit L: A *Statement of Sanctions* that could have been imposed upon Murphy for violating Jail Policy B02.

Appendix Exhibit M: The *Record of the Disciplinary Hearing* held by Inmate Disciplinary Hearing Officer Daniel Roberts on August 7, 2019 on the charges brought against Murphy, and it includes the evidence offered by Murphy in his defense.

Appendix Exhibit N: Inmate Disciplinary Hearing Officer Roberts' *Murphy Findings* with respect to the August 7, 2019 Disciplinary Hearing.

Appendix Exhibit O: Inmate Disciplinary Hearing Officer Roberts' *Whipple Findings* with respect to the charges brought against inmate Whipple as a result of the fighting incident.

Appendix Exhibit P: *Investigation Photographs* documenting the injuries sustained by Murphy and Whipple in the July 25, 2019 fight, as well several photographs of the fight scene.

Appendix Exhibit Q: The Jail's *Appeal Policy*.

Appendix Exhibit R: *Murphy's Appeal* from the Inmate Disciplinary Hearing Officer Roberts' Findings.

Appendix Exhibit S: Jail Commander Travis Givens' *Decision on Murphy's Appeal*.

Appendix Exhibit T: *Officer Roberts' Training Records* with the training that he had received on matters of inmate discipline highlighted in yellow.

Appendix Exhibit U: The Jail's *Inmate Grievance Policy*.

Appendix Exhibit V: The Jail's *Criminal Violations Screening* that resulted in Murphy being charged by the State of Utah with assault by a prisoner in violation of U.C.A. §76-5-102.5.

6. As previously stated, true and correct copies of the foregoing records are included in the *Appendix* to the court-ordered *Martinez Report*.

7. In addition, I obtained a true and correct copy of the Videotape showing the fight between Murphy and Whipple, which has been conventionally filed with the Clerk of Court in this case as ECF-28.

I further declare under penalty of perjury that the that the foregoing statements are true and correct to the best of my knowledge.

Executed in Duchesne, Utah on this 7th day of February 2022.

/s/ Tyler Allred
Tyler Allred

CERTIFICATION

I, Jesse C. Trentadue, hereby certify that I have the signed original of this document which is available for inspection during normal business hours by the Court or a party to this action.

Dated this 7th day of February 7, 2022.

/s/ jesse c. trentadue

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th day of February 2022, I electronically filed the foregoing **DECLARATION OF TYLER ALLRED** with the Clerk of the Court using the ECF Filing system, and mailed a copy, postage prepaid, to:

Anthony Charles Murphy
Utah State Prison
Inmate No. 224574
P.O. Box 250
Draper, Utah 84020
Pro Se Plaintiff

/s/ Jesse C. Trentadue